

DOE Water Resource Program: Bills of Interest, 2015 legislative session; April 3, 2015

House Bills

		Bill Number	Bill Title	Sponsor	Companion	Bill Description	Session Progress as of 4/3/2015
1	SHB	1000	Concerning water rights appurtenant to land managed by WDFW.	Blake , Kretz, Buys		Creates inventory of water rights held appurtenant to DFW land; rights not put to out of stream use must be available for lease out of stream	Feb. 12 - Referred to General Govt. & Information Technology
2	HB	1130	Concerning Water Power License Fee.	Fey , Short, Tharinger, Fitzgibbon, Gregerson		Extends the sunset date to 2027	Jan. 20 - Public hearing in the House Committee on Environment at 1:30pm.
3	HB	1137	Authorizing licensed geologists to perform the duties of well operators or resource protection well operators.	Short , Blake, Kretz, Buys, Van De Wege		Allows licenses geologist to conduct the duties of a well operator	Feb. 12 - Executive session scheduled, but no action was taken in the House Committee on Ag & Natural Resources at 1:30 pm.
4	EHB	1187	Concerning best practices for water banks.	Chandler , Blake, Buys, Stanford, Hayes, Parker	ESB 5014	Modifies the trust water right and water banking statute to include transparency and consistency measures	HB: IN THE SENATE Apr. 1 Passed to Rules Committee for second reading. SB: IN THE HOUSE - Apr. 1 Executive session in the House Committee on Ag & Natural Resources at 8:00 am. Referred to Rules 2 Review.
5	HB	1233	Specifying that the ability to withdraw groundwater for domestic purposes without first obtaining a permit from DOE is not subject to relinquishment through nonuse.	Chandler , Blake, Buys, Dent, Taylor		Specifying that the ability to withdraw groundwater for domestic purposes without first obtaining a permit from DOE is not subject to relinquishment through nonuse	Feb. 3 - Scheduled for public hearing in the House Committee on Ag & Natural Resources @ 10:00 am.

6	HB	1267	Concerning de facto changes in water rights for irrigation purposes that involved conversion to more efficient irrigation technologies.	Buys		Establishes a process for applicants to document and for Ecology to consider past changes in water use that resulted in water conservation through irrigation efficiencies	Feb. 12 - Referred to Rules 2 Review.
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7	HB	1338	Concerning the diversion of certain municipal waters.	Buys , Blake, Van Werven	SSB - 5298	Permits a community in the Nooksack Basin to increase amount of water diverted upstream in exchange for water discharged downstream	HB: Feb. 17 - Executive session scheduled, but no action was taken in the House Committee on Ag & Natural Resources at 10:00 am. IN THE HOUSE - SB: Apr. 1 Executive action taken in the House Committee on Ag & Natural Resources at 8:00 am. Referred to Rules 2 Review.
8	HB	1523	Regarding the relinquishment of water rights.	Taylor , Shea, G. Hunt, Buys, Scott, Condotta, Young		Removes relinquishment from statute; Common law abandonment still available for parties to seek relief	Feb. 3 - Scheduled for public hearing in the House Committee on Ag & Natural Resources @ 10:00 am.
9	SHB	1793	Working within the existing in-stream flow rules adopted by ECY to provide a suite of tools, applicable to property owners located in areas with limited access to legal new water withdrawals, for alternative procurement that does not result in a net loss to area surface waters.	Lytton , Stanford		Recognizes the contributions that cisterns, trucked water, and rainwater collection can provide to meet rural water needs; Directs local governments to adopt ordinance to "outline when and how alternative water systems may be used to satisfy potable water requirements"	IN THE SENATE - Apr. 1 Passed to Rules Committee for second reading.
10	E2SHB	1836	Concerning state drought preparedness.	Stanford , Blake, Lytton, Walkinshaw, Gregerson, Tarleton		Revise drought statute to include technical clarifications and allow precursory access to funds for water acquisition in preparation of drought	IN THE SENATE - Apr. 1 Passed to Rules Committee for second reading.
11	HB	2071	Concerning the impact of appropriate forest management on stream flow outcomes.	Kretz		Includes forestry management considerations for vegetation maintenance and subsequent water use as a responsibility of DNR in protection of the trust interest	Feb 10- First reading, referred to Ag and Natural Resources.

Senate Bills

5		Bill Number	Bill Title	Sponsor	Companion	Bill Description	Session Progress as of 4/3/2015
12	SB	5016	Retaining water resources to assure the vitality of local economies	Honeyford, Ericksen		Establish a local economy water trust account to avoid relinquishment of water rights appurtenant to state owned lands, using these rights to spur rural economic development	Feb. 27 - Passed to Rules Committee for second reading.
13	SSB	5018	Concerning underground artificial storage and recovery projects.	Honeyford, Ericksen		Change water quality standards for ASR projects from the ground water standard to the drinking water standard	IN THE HOUSE - Mar. 24 Public hearing in the House Committee on Ag & Natural Resources at 10:00 am.
14	SB	5060	Improving relationships between agricultural producers and state regulatory staff.	Honeyford, Schoesler, Warnick		Initiate a public process with the conservation commission to help define state regulatory agency roles and improve relationships with ag producers and state agencies	Jan. 12 - First reading, referred to Ag, Water & Rural Economic Dev.
15	SB	5061	Limiting the authority of growth management hearings boards to hear petitions challenging the regulation of permit exempt wells.	Honeyford, Schoesler, Warnick, Ericksen	1889	Adds an exemption to the list of matters not subject to review by the GMHB, "petitions challenging the regulation of withdrawal of public groundwater exempt from permit requirements"	SB: Jan 28-Passed to Rules Committee for second read; HB: Feb 2-First reading, referred to Local Government
16	SSB	5129	Concerning overriding considerations of the public interest in management of the waters of the state.	Pearson, Honeyford		Creates reserves for domestic use as a declaration of overriding consideration of the public interest; defines domestic use	Feb. 13 - Passed to Rules Committee for second reading.
17	SB	5131	Skagit instream flow rule	Pearson, Honeyford		Adopt a new instream flow rule for the Skagit basin by December 31, 2016	Jan. 29 - Public hearing in the Senate Committee on Ag & Water & Rural Economic Dev. At 8:00 am.

18	SB	5134	Instream flows/base, minimum	Bailey, Pearson, Ericksen, Honeyford		Exempt wells are not effected by the establishment of an instream flow rule	Jan. 29 - Public hearing in the Senate Committee on Ag & Water & Rural Economic Dev. At 8:00 am.
19	SB	5135	Ensuring certain existing water uses are not subject to interruption.	Bailey, Pearson, Ericksen, Honeyford		Prohibits certain groundwater uses in the Skagit river basin from being interrupted from the instream flows established in the Skagit river basin instream flow rule	Jan. 29 - Public hearing in the Senate Committee on Ag & Water & Rural Economic Dev. At 8:00 am.
20	SB	5136	Repealing an Instream flow rule, adopting new instream flow rule.	Bailey, Pearson, Ericksen, Honeyford, Benton		Repeal the Skagit Rule; Effective date of new rule would be new date of adoption and not relate back to previous rule making date	Feb 23 - Placed on second reading by Rules Committee.
20	SSB	5197	Establishing consistent standards for agency decision making.	Benton		Establishes a 90 day review timeline for agency applications, permits and transfers; applicants may seek relief from superior court instead of PCHB	Mar. 10 - Placed on second reading by Rules Committee.
21	ESSB	5407	Concerning the effects of instream flow rules on water use.	Pearson, Bailey, Benton		Exempts lots relying upon permit exempt wells from levels and flows set under 90.54 unless the department can demonstrate that the withdrawal actually impairs instream flows	IN THE HOUSE - Mar. 26 Public hearing in the House Committee on Ag & Natural Resources at 1:30 pm.

22	SB	5491	Maintaining reservations of water for certain future uses.	Parlette , Hatfield, King, Hargrove, Benton, Pearson, Braun, Rivers, Cleveland, Warnick, Honeyford, Bailey		Declares that “overriding considerations of the public interest will be served by ensuring that reservations of water for certain future uses...are maintained.” Bill “applies only to those rules that were in effect prior to” <i>Swinomish v Ecology</i> . Doesn’t apply to the Skagit Rule or any prospective instream flow rule making.	IN THE HOUSE - Apr. 1 Executive session in the House Committee on Ag & Natural Resources at 8:00 am. Referred to Rules 2 Review.
23	SB	5628	Providing for storm water, flood control, and water supply infrastructure in the state.	Honeyford , Hatfield, Braun, Hobbs, Warnick, Chase		Establishes revenue, funding and prioritization schemes for development of water infrastructure	Jan. 26 - Public hearing in the Senate Committee on Ways & Means at 3:30 pm.
24	SB	5714	Concerning technology-enhanced government surveillance.	Hargrove , Kohl-Welles, Rivers, Roach, Chase, Darneille, Hasegawa, Benton, Keiser, Rolfes		Puts significant restrictions on drone use by government agencies effectively creating an abolish on their use	Jan 29-First reading, referred to Law & Justice
25	SB	5801	Creating a water commission	Pearson		Establish a water commission with a board of elected and appointed persons to accomplish the tasks currently fulfilled by the Water Resources Program and DOE	Feb. 18 - Referred to Ways & Means.

26	SSB	5965	Evaluating mitigation options for impacts to base flows and minimum instream flows.	Warnick , Hatfield, Pearson, Hobbs, Bailey		Instructs DOE to produce a report evaluating mitigation options to address the impacts of permit exempt wells on base and minimum instream flows	IN THE HOUSE - Apr. 2 Public hearing and executive session in the House Committee on General Govt. & Information Technology at 8:00 am.
27	SB	5998	Concerning the protection of groundwater.	Roach		Includes additional language in RCW 90.54.020 concerning protection of water quality and quantity	Feb. 19 -Scheduled for public hearing in the Senate Committee on Ag and Water & Rural Dev. at 9:00 am.
28	SB	6012	Concerning the protection of drinking water when issuing building permits.	Roach , Lias		Inclusion of risk assessment and mitigation plan in building applications addressing possible impacts to drinking water quality and quantity of proposed building	Feb. 19 - Scheduled for public hearing in the Senate Committee on Govt. Operations & Security at 10:00 am.